2013/14 Q4

LEGAL AID ONTARIO
QUARTERLY PERFORMANCE REVIEW

ABOUT LEGAL AID ONTARIO (LAO)

LAO helps financially eligible, low-income Ontarians through the following services.

DUTY COUNSEL

These are lawyers who can quickly assess a person's legal problems and provide advice, information and representation to people who would be unrepresented and unassisted in the courtroom otherwise.

TOLL-FREE CALL CENTRE

Available in over 200 languages, the call centre can provide information about legal aid services, qualification for the various types of services available, and answer questions about legal aid applications.

SUMMARY LEGAL ADVICE

If financially eligible, clients can get advice on criminal, family or immigration issues from a lawyer for up to 20 minutes through LAO's toll-free number.

COMMUNITY LEGAL CLINICS

LAO funds 76 independent community legal clinics that can help with landlord and tenant issues, government assistance cases, civil appeals, tribunals and proceedings.

CERTIFICATES

If clients are financially eligible and their legal needs warrant it, they may be able to apply for a certificate to cover the cost of a lawyer.

SPOTLIGHT ON: INDEPENDENT LEGAL ADVICE FOR MEDIATION CLIENTS

In February 2014, LAO started a pilot in select locations across the province to cover the cost of a family lawyer to support clients who choose mediation. Eligible clients are then able to get up to six hours of help from a lawyer before, during or after entering into a legal agreement based on the mediation.

Clients can receive advice from a lawyer about the mediation process, assistance in preparing for mediation, or develop a better understanding of their options. The lawyer can also assist with obtaining a court order or binding agreement to enforce the terms of the mediation agreement.

LAO believes that providing legal advice will help families achieve sustainable outcomes that meet their needs. LAO will be evaluating the pilot and will consider the possibility of rolling out this service province-wide within 2014.

The pilot is one of a number of projects that LAO is undertaking to make sustainable improvements to family law programs and services.

CLIENT SERVICES

TOLL-FREE TELEPHONE SERVICES

Whether you're looking for information about legal aid services, the type of services you qualify for or have questions about your legal aid application, you can call LAO's toll-free number for help in over 200 languages. You'll be able to access a wide range of general information, summary legal advice and applications for legal aid.

Calls to Legal Aid Ontario's toll-free call centre are streamed into one of two tiers.

TIER 1

Clients are matched to a service that meets their legal aid needs or are referred to other programs.

1 MIN 34 SEC

Average wait time in Q4 compared to 1:07 minutes in the same period last year.

TIER 2

Clients are assessed for financial eligibility, provided with legal information or referred to staff lawyers for legal advice in either family law, criminal law or immigration law. Clients can also apply for legal aid at this level.

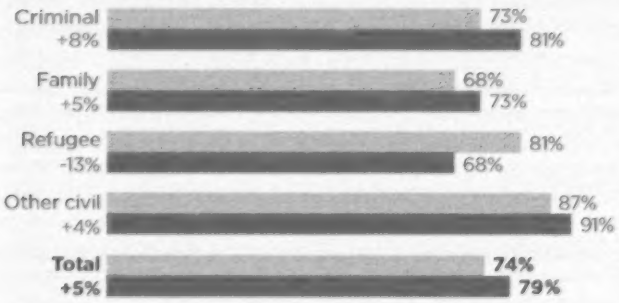
4 MIN 56 SEC

Average wait time in Q4 compared to 4:38 minutes in the same period last.

SAME-DAY DECISIONS

LAO's provincial courthouse offices provide support for applications, general information, status checks and referrals. 79 per cent of LAO's clients, many of whom apply before their first court appearance, receive a decision on their legal aid application the same day they apply from these offices.

% DECISIONS MADE SAME DAY

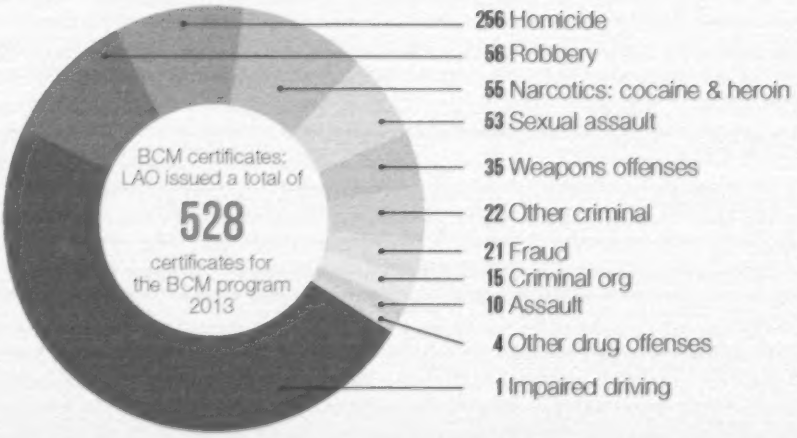


BIG CASE MANAGEMENT (BCM)

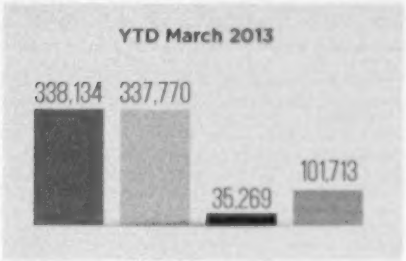
The Big Case Management (BCM) program governs the most costly and complex criminal trial defences LAO funds.

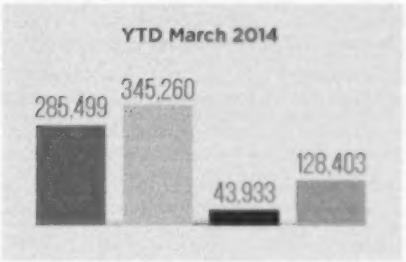
Under the BCM program, LAO sets budget limits for criminal cases expected to cost more than $20,000. In these cases, LAO establishes individual budgets rather than using its standard tariff system to determine the maximum hours available to counsel.

In Q4, LAO issued a total of 528 certificates for the BCM program. Program costs for the BCM program were $23 million.



PERSONS ASSISTED FISCAL YEAR COMPARISONS

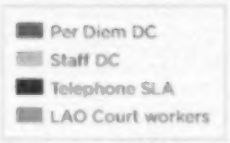




Duty counsel are lawyers, available in most courthouses, who can quickly assess a person's legal problems and provide frontline advice, information and representation to people who would otherwise be unrepresented and unassisted in the courtroom.

In Q4, the total number of people assisted by duty counsel (includes per diem, staff duty counsel, telephone summary legal advice and LAO court workers) dropped by 1.2 per cent compared to last year. The decrease is consistent with the trend of fewer events being heard at courts, as well as the continued progress of the Justice on Target initiative, the province's strategy to address criminal court delays.

Additionally, LAO's legal aid workers at the courthouse support duty counsel by providing certain services under appropriate supervision, so that LAO makes the most effective use of its per diem and staff lawyers.



DISPOSITIVE SERVICES

Dispositive services help a case progress towards resolution.

29,779 civil/family assists for Q4 compared to 31,218 last year.

Civil/family dispositive services include:
- arguing emergency motions
- obtaining consent orders
- arguing motion/application/adjournments
- supporting enforcement proceedings
- supporting inter-jurisdictional support hearings
- conducting CFSA temporary care and custody, CFSA status review, CFSA apprehension
- conducting parole hearing or disciplinary hearings

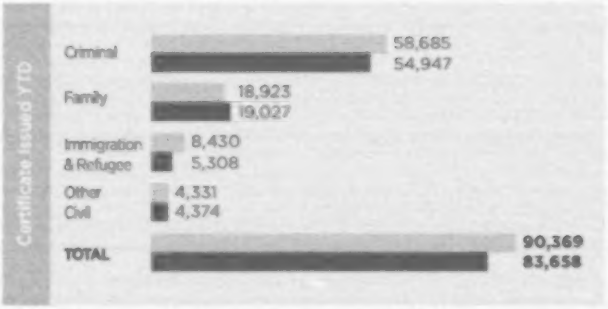
91,505 criminal assists for Q4
Compared to 101,633 last year.

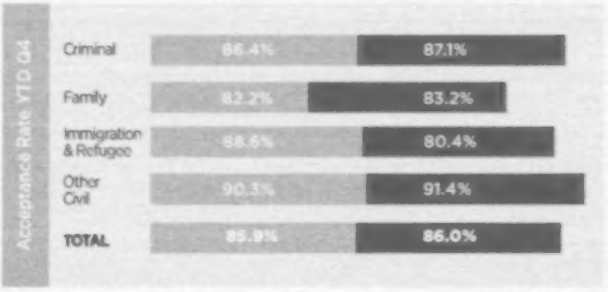
Some criminal dispositive services include:
- trials
- withdrawal of all charges
- guilty pleas/speaking to sentence
- Gladue submissions
- judicial interim release proceedings
- diversion/extra-judicial sanctions
- peace bond/recognizance
- hearings to rescind bench warrants
- mental health assessment order hearings, sentence reviews
- appeals de novo

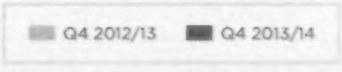
LEGAL AID CERTIFICATES

If a client is financially eligible and their legal needs warrant it, a client will be advised to apply for a certificate, which covers the cost of a lawyer.

The certificate is like a voucher, guaranteeing that one of more than 4,000 private practice lawyers in Ontario who participate in the legal aid certificate program will be paid to represent an LAO client for a certain number of hours.







FINANCIAL UPDATE (PRELIMINARY)

Operating Budget ($M)	Year-to-Date Actual
Government of Ontario	$ 345.549
Government of Ontario: New Funding for 2013	4.686
Law Foundation	25.618
Client Contributions	10.002
Client and Other Recoveries	1.123
Miscellaneous	1.069
TOTAL REVENUE	**$ 388.047**
Core Business Expenses	
Certificate Program: BCM	$ 25.560
Other	144.598
Client Service Offices	13.638
New Family Funding 2013/14	0.059
Clinic Program: General	72.483
CIMS	0.034
New Clinic Program Funding 2013/14	3.000
Duty Counsel Program	46.685
Service Innovation Projects	0.745
TOTAL CORE BUSINESS EXPENSES	**$ 306.800**
Service Provider Support	$ 5.313
Administrative Expenses	32.298
Other Expenditures	8.224
Program Support	21.260
TOTAL OPERATING EXPENSES	**$ 373.895**
OPERATING SURPLUS / (DEFICIT)	**$ 14.152**

LEGAL AID ONTARIO
40 Dundas Street W. Suite 200
Toronto, Ontario M5G 2H1
T: (416) 979.2352
Toll free: 1 800 668.8258
F: (416) 979.8669
E: info@lao.on.ca
www.legalaid.on.ca